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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BILLINGS DIVISION

In re the Application of NATALIA POTANINA,  For an Order to Take Discovery  Pursuant to 28 U.S.C. § 1782(a)	<ul> <li>No. CV-14-19-BLG-SPW</li> <li>SUPPLEMENTAL DECLARATION</li> <li>OF PROFESSOR OLGA A.</li> <li>DYUZHEVA</li> <li>)</li> </ul>
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## SUPPLEMENTAL DECLARATION OF PROFESSOR OLGA A. DYUZHEVA

I, Olga A. Dyuzheva, declare under penalty of perjury the following:

- 1. I submit this supplemental declaration in support of the motion filed by the Respondent in the above-captioned matter. My original declaration in this matter was filed with this Court on March 10, 2014. My credentials and curriculum vitae were submitted to the Court as part of that declaration.
- 2. I make this supplemental declaration on the basis of my knowledge of the Family Code of the Russian Federation, the Civil Procedure Code of the Russian Federation, and other relevant Russian laws and court practice. I also have reviewed the Decision of the Magistrate Judge for Judicial District No. 418 of Presnensky District of Moscow, Russia, dated February 25, 2014, Civil Case No. 2-02/2014, in the matter of the divorce between Vladimir Potanin and Natalia Potanina (the "Decision").
- 3. In the Decision, the Magistrate Judge held, in part, that "[i]t is found by the court and supported by case evidence that any marital and family relations between the parties have been discontinued since January 2007, as evidenced by the residential space lease agreements produced during the court hearing."

  Decision at 2. By making that ruling, the Magistrate Judge established as a fact that the matrimonial relationship between Mr. Potanin and Mrs. Potanina had

ceased in January 2007, which was of relevance to the Judge's decision to dissolve the marriage.

- 4. Pursuant to Article 61.2 of the Civil Procedure Code of the Russian Federation (the "CPC"), the facts established in the Decision, once the Decision enters into force, are binding upon all other courts adjudicating cases between the same parties. That is, the Magistrate Judge's factual determination that the Potanins' matrimonial relationship ceased in January 2007 is binding on all other Russian courts adjudicating claims between Mr. Potanin and Mrs. Potanina. Once the Decision enters into force, neither Mr. Potanin nor Mrs. Potanina would be able to challenge the Magistrate Judge's factual determination in any other Russian court proceeding between them, including in any Russian district courts that are or will be adjudicating division of assets claims between the Potanins.
  - 5. Pursuant to Articles 209.1 and 321.2 of the CPC, the Decision will enter into force one month from the date of its issuance, unless an appeal is taken before that deadline. If an appeal from the Decision is taken, the appellate court may uphold the Decision, modify it by issuing a new ruling, or overrule it. If the appellate court upholds the Decision or issues a new ruling, the Decision or the new ruling will enter into force immediately upon its issuance.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this <u>March</u>, 2014, in Moscow, Russia.

Olga A. Dyuzheva